

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 23-cr-80203-Rosenberg/Reinhart

UNITED STATES OF AMERICA

vs.

**EDDIE LARRY HOLLAND III,
a/k/a "Eddy Kain,"**

Defendant.

**ACKNOWLEDGMENT OF OFFENSE ELEMENTS AND STIPULATION
AS TO FACTUAL BASIS FOR GUILTY PLEA**

I, EDDIE LARRY HOLLAND III, agree that the facts set forth below are true and accurate and that the United States could prove these facts against me at trial. I am pleading guilty to both counts in the Indictment charging me with Count 1 - possession of an unregistered machinegun, in violation of Title 26, United States Code, Section 5861(d); and Count 2 – possession of a stolen firearm, in violation of Title 18, United States Code, Section 922(j).

NATURE OF THE CHARGE

I am aware of and understand the nature of the charges to which I am pleading guilty. I have discussed with my attorney the charges and what the prosecutor must prove to convict me.

Count 1 - Possession of an Unregistered Machinegun – 26 U.S.C. § 5861(d)

I understand that the United States must prove the following elements of the offense beyond a reasonable doubt:

First: The defendant knowingly possessed a machinegun;

Second: The firearm was not registered to the defendant in the National Firearms Registration and Transfer Record; and

Third: The defendant knew of the specific characteristics or features of the firearm that made it subject to registration under the National Firearms Registration and Transfer Record.

The term “machinegun” means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term also includes the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person. The “Glock switch” affixed to the firearm in this case is a “machinegun.”

The Government does not have to prove that the Defendant knew the item described in the indictment was a firearm that must be legally registered. The Government only must prove beyond a reasonable doubt that the Defendant knew about the specific characteristics or features of the firearm that made it subject to registration.

Count 2 – Possession of a stolen firearm, in violation of Title 18, United States Code, Section 922(j)

I understand that the United States must prove the following elements of the offense beyond a reasonable doubt:

First: The defendant knowingly possessed or concealed a stolen firearm which had been shipped or transported in interstate or foreign commerce;

Second: The defendant knew or had reasonable cause to believe the firearm was stolen.

STIPULATED FACTS

On June 27, 2023, at approximately 1:00 p.m., Palm Beach County Sheriff’s Office Detective Kelly was conducting surveillance of a residence in Belle Glade, Florida, for the purpose

of apprehending D.K. for an active felony warrant. Detective Kelly observed Eddie HOLLAND exit the residence. As HOLLAND exited and began walking towards the driveway, he was observed holding the front of his waistband as if he was preventing an object from falling out. D.K. and D.W. were then observed exiting the residence shortly after HOLLAND. All three subjects got into a white 2020 Nissan Rogue which was parked in the driveway of the residence. D.W. entered the driver's seat, D.K. entered the front passenger seat, and HOLLAND entered the rear right passenger seat behind D.K.

A traffic stop was conducted by PBSO K9 Deputy Hernandez based on the active felony warrant for D.K. As D.K. was being taken into custody from the vehicle by Agent Smith, probable cause developed to conduct a vehicle search for narcotics. During the search, a black semi-automatic firearm (Glock 23, .40 caliber pistol, Serial# MRD568) was discovered after unsnapping the rear panel of the center console that faces the back seat to the left of where HOLLAND was sitting. The firearm had 1 round of ammunition in the chamber.

The letters "PBSO" and the Palm Beach County Sheriff's Office five (5) pointed star were imprinted on the slide of the firearm. There was also a "Glock switch" attached to the rear portion of the slide. A "Glock switch" is a device that can be made of metal or plastic, installed onto the rear portion of the slide of a Glock pistol to convert it from semi-automatic fire to fully automatic, thus allowing the pistol convert into a machine gun. The "Glock switch" can also be referred to as a machine gun conversion device (MGCD) since it does convert an otherwise semi-automatic firearm to fully automatic.

While searching in between the back seat and the trunk, behind and to the left of where HOLLAND was sitting, detectives located an extended magazine containing 21 rounds of .40 caliber rounds. The trunk was accessible from the back seat of the Nissan Rogue. Detectives seized

two cell phones belonging to HOLLAND. Pursuant to a search warrant, a swab of DNA was taken from HOLLAND.

Detectives determined that the firearm belonged to a retired Palm Beach County Sheriff's Office Deputy. Contact was made with the retired Deputy who advised that he reported the firearm had been stolen from his vehicle within the City of Belle Glade on December 9, 2022.

Cellular extraction search warrants were obtained for HOLLAND's cell phones. During the review of the extractions, Detective Kelly located information related to "Glock switches" in the communications between HOLLAND and another individual. The communications started through Facebook direct messages and then continued through actual text messages between HOLLAND and the other individual.

The first conversation took place through Facebook and was between HOLLAND and another person. HOLLAND used the profile name of "Eddy Kain." On June 6, 2023, at approximately 1:55 a.m., HOLLAND and the other person generally discussed firearms and obtaining firearms. During the discussion, they specifically mentioned a Draco pistol, a Glock 19x handgun, binary triggers (which convert firearms to machineguns), and ghost guns.

HOLLAND was a rap artist and went by the name of "Eddy Kain" or "Reyo." While reviewing the cellular phone extraction, agents located rap lyrics typed in the Notes application of HOLLAND's cellphone. The following note located on the phone was created on June 4, 2023, at 12:42 p.m.: "Dis 23 prolly stolen ion kno anit get it from the store" / "Dis hlizzy on me stolen dis bih say pbso." The word "Hlizzy" is a typo of the term "Glizzy" which is a slang term for a Glock pistol. An additional note, authored on June 18, 2023, at 9:45 p.m., was located on the same phone and referred to the Glock 23, .40 caliber pistol which had been found in HOLLAND's possession on June 27, 2023. The rap lyrics referenced the "Glock switch" attached to the pistol and included

the following statement: "Switch make me mad asf its shootin fast one tap." The reference to "one tap" is the fact a person only needs to pull the trigger one time for the firearm to shoot more than one round.

On July 6, 2023, Firearms Expert Stephen Barborini test fired the Glock 23, .40 caliber, Serial# MRD568 with the "Glock switch" attached and determined that the firearm and the "Glock Switch" were fully functional. The "Glock switch" did in fact work as a machinegun conversion device (MGCD), meaning the firearm function was consistent with a machinegun, by expelling more than one projectile with a single function of the trigger. The "Glock switch" was designed and intended for use in converting a weapon into a machinegun, and therefore was a "machinegun" as defined in 26 U.S.C. § 5845(b).

On September 25, 2023, Detective Kelly received DNA comparison results from DNA Labs International. The DNA comparison results revealed that HOLLAND's DNA was on the frame/slide of the black semi-automatic firearm (Glock 23, .40 caliber, Serial# MRD568) and the "Glock switch" that was attached to the firearm. The analysis of swabs taken from the frame/slide provided moderate support for the proposition that HOLLAND was a contributor to the DNA profile obtained from the sample. The DNA analysis of the swabs taken from the "Glock switch" provided very strong support for the proposition that HOLLAND was a contributor to the DNA profile obtained from the "Glock switch." It is approximately 140 million times more probable if the sample originated from HOLLAND and two unknown persons than if it originated from three unknown persons.

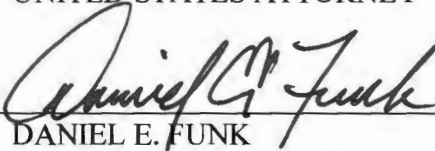
An agent with ATF confirmed that the "Glock switch" located on the Glock 23, .40 caliber, Serial# MRD568, is not registered in the National Firearms Act Transfer Record and that HOLLAND has no NFA weapons registered in his name. The Glock 23, .40 caliber pistol was

manufactured in Austria and therefore has traveled in interstate or foreign commerce.

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

Date: 1/12/24

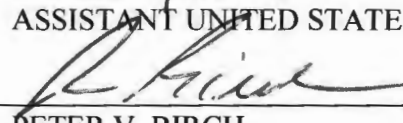
By:



DANIEL E. FUNK
ASSISTANT UNITED STATES ATTORNEY

Date: 1/4/24

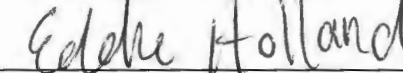
By:



PETER V. BIRCH
ATTORNEY FOR DEFENDANT

Date: 1/4/24

By:



EDDIE LARRY HOLLAND III
DEFENDANT